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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,061	02/16/2001	Theodore Trost	17463US02	5102
23446 7590 10/08/2008 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661				
EXAMINER YUN, EUGENE				
ART UNIT 2618		PAPER NUMBER		
MAIL DATE 10/08/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 9/22/2008 have been fully considered but they are not persuasive.

Firstly, the examiner was not specifically pertaining to claim 8 when referring to MPEP 2144.04. Even if that section of the MPEP only pertains to 103 rejections, then the examiner can simply state that the referral was added in order to make a stronger case for the rejection for claim 1. The examiner does not change the basis for the rejection of claim 8.

In either case, the examiner maintains his stance that Vanden Heuvel teaches the memory of the claimed invention because the memory is not only part of the same device as the processor, but also directly coupled to the processor. The examiner also reiterates that the claims do not state that the memory must be on the same integrated circuit board, chip, etc. The examiner further looked into MPEP 2111.03 and regardless of whether the terms "comprising" or "having" are open or closed ended, the processor in Vanden Heuvel is still believed by the examiner to "include" a memory because of a direct connection and again because nothing in the MPEP states that the memory must be "integrated" to the device, or be on the same integrated circuit board, chip, etc.

The examiner still stands by his rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUGENE YUN whose telephone number is (571)272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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